



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
841 Chestnut Building  
Philadelphia, Pennsylvania 19107

Office of Superfund  
SE Pennsylvania Remedial Section

Direct Dial (215) 597-8257  
Mail Code 3HW21

Re: 3d

August 29, 1995

VIA FACSIMILE #215-923-2227 & FEDERAL EXPRESS

Mr. John Mattioni, Esquire  
Mattioni, Mattioni & Mattioni, Ltd.  
399 Market Street, 2nd Floor  
Philadelphia, PA 19106-2138

SUBJECT: Metal Bank Site. 3rd Request for Extension on Proposed Plan Comment Period.

Dear Mr. Mattioni,

This is in reference to your letter dated August 25, 1995 in which you request an additional 30-day extension for the Proposed Plan public comment period. EPA has provided a 60 day comment period to submit comments on the Proposed Plan; this is the standard comment period allowed. EPA makes exceptions to this standard and provides further extensions in very rare cases. This Site does not present any unusual remedial problems which require an extension of the comment period. Therefore, EPA denies your third request.

Once again, EPA will review any additional information you submit, even if it comes after the close of the comment period. EPA is attempting to issue the Record of Decision (ROD) in this matter, as expeditiously as possible. However, we did not state, as you recount in your letter, that "bean counting" was driving our deadline. Furthermore, the letter which you received on August 24th was sent before we had our conversation with Mr. Weidner, and did not contain any "after-the-fact contrived excuses." Your stated reasons for requesting the extension simply do not present an exceptional situation which merits additional time.

Sincerely,

Cesar Lee (3HW21)  
Remedial Project Manager

cc: via LAN  
E. Lukens (3RC23)  
P. Anderson (3HW21)

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